

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Deutsche Bank National Trust Company,
As Trustee for Soundview Home Loan
Trust 2006-1, Asset-Backed Certificates,
Series 2006-1,

Plaintiff,

vs.

Helen Valencia Thomas,

Defendant.

Civil Action No. 3:17-cv-1649-CMC

OPINION AND ORDER

This matter is before the court on Defendant's "Motion for Post Judgement [sic] Settlement and Closure Under Subrogation." ECF No. 28. The motion reads, in full, as follows:

Comes now by special appearance Helen Valencia Thomas, moving this court for post judgment settlement, and closure under subrogation for the case number listed above. Since the bond/security for the case number listed above was created using my name and social security number, I am claiming the bond/security as an asset in this case. I am the creditor/beneficiary, the third party and I am substituting myself in the place of the Plaintiff to settle all debts. Therefore, I am ordering this court to use the bond/security that was created to settle and close this case, and give a full accounting of the account and forward the remaining balance to me the beneficiary.

While the relief sought is unclear, it is evident there is no relief available to Defendant in this court as to this matter. *See* ECF No. 15 (remanding action to state court for lack of subject matter jurisdiction); ECF No. 26, 27 (opinion and mandate dismissing appeal of remand order). There is, moreover, no indication any bond or security was paid into this court (or the Fourth

Circuit Court of Appeals) by any party. Thus, there is no bond or security available for any purpose.¹

For the reasons set forth above, Defendant's motion is denied.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
January 18, 2018

¹ Although filing fees would not be refundable, the court notes Defendant did not pay a filing fee on removal or on appeal. *See* ECF Nos. 3, 8 (motion seeking and order granting leave to proceed in forma pauperis); ECF No. 20 (notice of appeal, indicating filing fee was not paid). Thus, even if her motion could be construed as seeking a refund of filing fees, it would be denied.